<u>REMARKS</u>

Claims 1-4, 6-18, 20-33 and 35-43 are currently pending in the subject application and are presently under consideration. A current listing of the claims is shown at pp. 2-7 of the Reply.

An Examiner interview was conducted on October 30, 2007. The main focus of the interview was on deficiencies of the 103 rejection. While the presented matter generally related to all the claims, the crux was upon independent claims 1, 11, 20, 29, and 40. In particular, references Christiano (U.S. Patent No. 5,671,412) and Rivera et al. (U.S. Patent No. 6,056,786) were discussed in the interview. The interview was conducted with Ronald Krosky (Reg. No. 58,564), Pavan Keshavareddy, and Examiner Evens Augustin. The Examiner is thanked for courtesies extended and no agreements were reached.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I.   <u>Rejection of Claims 1-4, 6-18, 20-33 and 35-43 Under 35 U.S.C. §103(a)</u>

Claims 1-4, 6-18, 20-33 and 35-43 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Christiano (5,671,412), in view of Rivera *et al.* (6,056,786). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Christiano and Rivera *et al.*, individually or in combination, do not disclose or suggest each and every element set forth in the subject claim.

Applicants' claimed invention relates generally to a license management and enforcement system that regularly checks license data contained in the system. In particular, independent claim 1, in part, recites *a validation component that checks stored license data at **regular time intervals** to ensure that the data has not been corrupted*. Independent claims 11, 20, 29, and 40 recite similar features. Christiano fails to disclose such novel aspects of the claimed invention.

Christiano merely relates to a license management system for software applications that stores and manages license data using a client-server model. Christiano discloses that software application licenses are stored on a license server, and client systems that have access to this server can request licenses for various applications. Christiano further discloses that the license server performs diagnostic checking of the license store data upon notification that the client would like the server to perform such diagnostic functions.

However, Christiano is *silent with respect to a system that performs license checking at regular intervals of time*. In fact, the license diagnostics are only performed in response to system events, which do not occur with any specified frequency or regular intervals of time. Furthermore, Christiano is silent about with regard to *verifying that the stored license data has not been corrupted*. Christiano merely discloses checking the header information associated with the license, but does not specifically verify that the license data itself has not been corrupted.

In the subject Office Action, the Examiner *concedes that Christiano is silent with respect to a validation component that checks the stored license data at regular intervals*, and offers Rivera *et al.* to cure this deficiency. Applicants' representative respectfully disagrees. Rivera *et al.* merely relates to a technique for determining the number of users of client computers which transact with a server program during a given period of time. Accordingly, Rivera *et al.* provides for a license management routine that reads and parses data entries in the server program's audit log to determine the number of users or client computers transacting with the server program over a given time period. This allows monitoring the server program usage and ensures that appropriate number of client program licenses is obtained.

In other words, Rivera *et al.* merely counts the number of users transacting with the server program by reviewing the audit log entries for a number of time intervals during a time period. Using this technique, Rivera *et al.*'s system determines whether the licensee has purchased a sufficient number of licenses to cover the number of users transacting with the server program. Rivera *et al.* further disclose that an administrator of this license monitoring system can designate a certain time period for when the audit log is to be reviewed and a usage interval into which the time period is to be divided.

In the subject Office Action, the Examiner argues that such an audit process, wherein the administrator can review the logs of transaction, over a given interval of time, corresponds to checking the stored license data at regular time intervals to ensure that the data has not been corrupted. Applicants' representative respectfully disagrees. As discussed *supra,* Rivera *et al.* merely checks for the number of user's transacting at a particular time and is completely silent about verifying the stored license data license data at regular time intervals to ensure that the data has not been corrupted. More specifically, Rivera *et al.* fails to disclose or suggest a validation

that *checks stored license data at **regular time intervals** to ensure that the data has not been corrupted.*

Based on at least the foregoing, Christiano and Rivera *et al.*, individually or in combination, do not disclose each and every element of the claimed subject matter as recited in independent claims 1, 11, 20, 29, and 40 (and claims which depend there from). Therefore, this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP494US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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